Bill No. D-76-06-34.

General Ordinance No. G-22-76

An ordinance approving the exercise by the City of Fort Wayne of its right to purchase the assets of Maplewood Park Utilities, Inc. in use or useful in rendering sanitary sewage disposal and/or water utility services in St. Joseph Township, Allen County, Indiana, at a cost of approximately \$1,200,000.00 to be paid from revenue from City Utilities funds.

WHEREAS, on August 5, 1963, on Option Agreement between the City of Fort Wayne and Maplewood Park Utilities, Inc. granted the City of Fort Wayne the option to purchase, as a group, all of the assets of Maplewood Park Utilities, Inc. in use or useful in rendering water utility services in St. Joseph Township, Allen County, Indiana, at a purchase price defined therein as the lower of book value or the appraised value of those assets; all as specifically provided in that Option Agreement, and

WHEREAS, said purchase price as so ultimately determined will not exceed \$650,000.00, and;

WHEREAS, said option will expire unless exercised on or before February 26, 1977, and,

WHEREAS, said purchase price is to be paid in cash from reserve funds available from City Utilities revenue and no bonds or credit will be issued by the City of Fort Wayne, and;

WHEREAS, the City is now supplying the major portion of water for the customers of Maplewood and is in a position to fulfill the needs of these customers for water and;

WHEREAS, it is deemed advantageous to the City and customers of Maplewood Park Utilities, Inc. to exercise said option and so acquire these assets of Maplewood Park Utilities, Inc.; and,

WHEREAS, on August 19, 1963, an Option Agreement between the City of Fort Wayne and Maplewood Park Utilities, Inc. provided the City of Fort Wayne an option to purchase all of the assets of Maplewood Park Utilities, Inc. in use or useful in rendering both

APPROVED AS TO FORM AND LEGALITY

sanitary sewage disposal and water utility services in St. Joseph Township, Allen County, Indiana, as defined in said option, at a purchase price defined as the lower of book value or the appraised value, all as specifically therein set out; and

WHEREAS, said purchase price as so ultimately determined will not exceed \$1,200,000.00, and

WHEREAS, said option agreement expires if not exercised on or before February 26, 1977, and

WHEREAS, said purchase price is to be paid in cash from funds from City Utilities revenue, and no bonds or credit will be issued by the City of Fort Wayne, and

WHEREAS, the City is in a position to render sewage disposal service to the customers of Maplewood, and

WHEREAS, the estimated rates for the sewage disposal customers are as follows:

Present sewage rates;

and,

WHEREAS, the estimated rates for the water utility customers are as follows:

Present water rates;

and;

WHEREAS, the Board of Public Works has determined that there will be no substantial cost of improvement necessary to render the works effective for their purpose; and

WHEREAS, no revenue bonds or general obligation bonds would be issued to pay the costs of the acquisition of the assets of either the water utility or of the combined water and sewage utility, and;

. WHEREAS, approval of the exercise of either of the options must be given by the governing body of the City of Fort Wayne.

NOW, THEREFORE, Be It Ordained By The Common Council of The City of Fort Wayne, Indiana:

Section 1. The Board of Public Works, on behalf of the City of Fort Wayne, is hereby authorized and directed to exercise the option of August 19, 1963, to purchase all of the assets of Maplewood Park Utilities, Inc. in use or useful in rendering both sanitary sewage disposal and water utility services in St. Joseph Township, Allen County, Indiana, at the lowest option price, estimated not to exceed \$1,200,000.00 and to take all further action necessary to exercise said option and complete said purchase and the acquisition of said assets.

Section 2. In the alternative, and in the event the Board of Public Works for any reason whatsoever is unable to exercise the option or complete the purchase and acquisition of the assets of Maplewood Park Utilities, Inc., as authorized in Section 1 above, the Board of Public Works, on behalf of the City of Fort Wayne, is hereby authorized and directed to exercise its options to purchase all the assets of Maplewood Park Utilities, Inc. in use or useful in rendering water utility service in St. Joseph Township, Allen County, Indiana, at the option price, estimated not to exceed \$650,000.00; and to take all further action necessary to exercise said option and complete said purchase and the acquisition of said assets pursuant to the Option Agreement of August 5, 1963.

Section 3. That the purchase price for the acquisition of the assets under either option be paid in cash from the funds of the City Utilities.

Section 4. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and legal publication.

And Councilman

Read the first time in full and in motion by Busso, seconded by
.)
to the Committee on
Commission for recommendation) and Public Hearing to be held after due legal notice,
at the Council Chambers, City-County Building, Fort Mayne, Indiana, on ,
the
o'clock P.M., E.S.T.
Date: 6-22-76 May Williams
Read the third time in full and on motion by Surns.
seconded by, and duly adonted, placed on its passage.
Passed (LOST) by the following vote:
OTAL VOIES AYES NAYS ABSTAINED ABSENT TO-HIT
BURNS
HIEGA
HUNTER
MOSES
HUCKOLS — — — — — — — — — — — — — — — — — — —
SCHAIDT, D.
SCHHIDT, V.
STIER —————
TALARICO V
DATE: 7-13-76 Shulled alegers are
Passed and adopted by the Common Council of the City of Fort Mayne, Indiana,
as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance
(Resolution) No. 2-22-76 on the 13-May of July, 1976.
ATTEST: (SEAL) James Street
Mille Millermane STIDING OFFICER
Presented by me to the Mayor of the City of Fort Mayne, Indiana, on the 14 Lt.
day of, 1976, at the hour of //3/0'clock
Mules Alesternano
Approved and signed by me this
at the hour of 4:30 o'clock
Kapent Elemetrong

Bill	No.	G-76-06-34					
			REPORT OF TH	E COMMITTEE	ON CITY	UTILITIES	
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		drick R. Hunter	0 01	uli !			
_	Sam	uel J. Talarico	Samuel 1.	Jalanio.			
			V	DATE 7-13-14	CONCURRED	D IN ESTERMAN, CITY	
					WALLS VV. VV	EDIEKMAN, CITY	CLERK

dmn.	Appr.	

DIGEST SHEET

TITLE OF ORDINANCE	GENERAL	ORDINANO	CE	15	76-06	-34
DEPARTMENT REQUESTING ORDINANCE_						
SYNOPSIS OF ORDINANCE An ordi	nance app	proving t	he exe	ercise	by	
the City of Fort Wayne of	its right	to pur	chase t	the ass	ets of	
Maplewood Park Utilities,	Inc. in	use or us	seful	in rend	ering	
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Township, Allen County, Ir	ndiana, a	t a cost	of app	proxima	tely	
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EFFECT OF PASSAGE						
EFFECT OF NON-PASSAGE						
MONEY INVOLVED (DIRECT COSTS, EX	PENDITURES,	SAVINGS)			_	
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ASSIGNED TO COMMITTEE (PRESIDENT) Poty Uto	8 per 1914.	w.s.			



CITY OF FORT WAYNE

FORT WAYNE, INDIANA CHARLES W. WESTERMAN

CITY CLERK

July 15, 1976

Miss Helen Libbing Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates July 19 and 26, 1976, in both the News Sentinel and Journal Gazette.

> RE: Legal Notice for Common Council of Fort Wayne, Indiana

> > Bill No. G-76-05-09-(As Amended) General Ordinance No. G-20-76 Greenfield Square Apartments

Bill No. G-76-06-34 General Ordinance No. G-22-76 Maplewood Park Utilites, Inc.

Bill No. Z-76-05-15 Zoning Map Ordinance No. Z-09-76

Please send us five (5) copies of the Publishers Affidavit from both newspapers. Thank you.

> Sincerely. sules W. Westerman

Charles W. Westerman

CWW/ne ENCL: 3

State Board of Accounts THE NEWS-SENTINEL wire cil of Fort Wayne ernmental Unit) FORT WAYNE, INDIANA .County, Ind. PUBLISHER'S CLAIM Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines number of lines number of lines number of lines 211 Total number of lines in notice " F CHARGES 1 columns wide equals 211 equivalent lines at plions must mal charge for notices containing rule or tabular work (50 per cent of above $\frac{1}{1}$) for extra proofs of publication (50 cents for each proof in excess of two) 56.06 the TOTAL AMOUNT OF CLAIM

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Read fhe third time in full and on	r e	Personally anneared	before me, a notary public in and for said	county and state, the
notion by Burns, seconded by lings, and duly adopted, placed on	,			ing duly sworn, says
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g vote: Ayes: Five		that she is		or the
Burns, Hinga, Hunter, D. chimdt, Talarico Nays: Three		NEWS	-SENTINEL	
Moses, Nuckols, Stier		DAILY	newspaper of general circulation	printed and published
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late: 7-13-76 Clarles W. Westerman City Clerk Passed and adopted by the Com-	CH COPY OF		age in the city of FORT WAYNE, IND	
son Council of the City of Fort	INEMENT HERE	In state and county a	foresaid, and that the printed matter attached	hereto is a true copy,
Vayne, Indiana, as General Ordi- ance No. G-22-76 on the 13th day of	.*	III atate and county w	shed in said paper for 2 time S , the date	of amblication being
uly, 1976.		which was duly publi	shed in said paper for the time. the take	ot publication being
Charles W. Westerman		as tonows:	7/19-26/76	
City Clerk James S. Stier			1/1/2004	_
Presented by me to the Mayor of			76	16. 1.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of July, 1976, at the our of 11:30 o'clock A.M., E.S.T.	*		1. 6.	Serken
our of 11:30 o'clock A.M., E.S.T.		and	n to before me this 26thday of	July 1986
Charles W. Westerman City Clerk		Supectioed and swor	Harry Harry	
Approved and signed by me this ith day of July, 1976, at the hour of 30 o'clock P.M., E.S.T.	· AND		Notary Put	
30 o'clock P.M., E.S.T. Robert E. Armstrong			C-wt-whom 20 1070	A.
I, Charles W. Westerman, Clerk of		My commission expi	September 28, 1979	
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pproved by the Mayor on the 14th	Company of the compan			

ifile and on record in my office.
WITNESS my hand, and the call seal of the City of Fort Way
adiana, this 14th day of July, 1976.
CHARLES W. WESTERM
CITY CLE

Common Conne	il of Fort Warms			E NEWS-SENTINEL	
(Gove	il of Fort Wayne rnmental Unit)		ТоТ	E REMO-DENTINEL	
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Notice is hereby given that on the 13th day of July, 1976, the Common Council of the City of Fort Wayne, Indiane, in a Regular Session did pass the following BILL NO. G-76-06-34, B-22-76 General Ordinance, to wit:

Bill No. G-76-06-34 General Ordinance No.

words by the City of Fort Wayne of its right to guestion the assets of or useful in rendering senting year. The control of the

WHEREAS, said purchase price is to be paid in cash from reserve funds available from City Utilities revenue and no bonds or credit will be issued by the City of Fort Wayne, and:

WHEREAS, the City is now supplying the major portion of water for

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and
WHEREAS, said purchase price as
so ullimately determined will not exced \$1,20,00.00 and
WHEREAS, said option agreement
expires if not exercised on or before
February 26,197, and
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Maplewood, and WHEREAS, the estimated rates for the sewage disposal customers are as follows: Present sewage rates; and.

Present sewage rates; and, WHEREAS, the estimeated rate for the water utility customers an as follows:

WHEREAS, the Board of Public Works has determined there will be no substantial cost of Improvement necessary to render the works effective for their purpose; and WHEREAS, no revenue bonds or general obligation bonds would be is-

ion of the assets of either the water utility or of the combined water and ewage utility, and:
WHEREAS, approval of the exprecise of either of the options must be given by the governing body of the City of Fort Wayne.

NOW, THEREFORE, Be It Claimed By The Common Council The City of Fort Wayne, Indiana: Section 1. The Board of Pub Works, on behalf of the City of Fe Wayne, is hereby authorized and recied to exercise the option of A

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il of Fort Wayne

......County, Ind.

General Form No. 99 P (Rev. 1967)

To JOURNAL-GAZETTE Dr.

211

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

number of lines

number of lines

number of lines

Total number of lines in notice

HARGES

lines, 1 columns wide equals 211 equivalent lines at 2594 cents per line

of al charge for notices containing rule or tabular work (50 per cent of above

or extra proofs of publication (50 cents for each proof in excess of two)

\$ 54.15

1.50

WHEREAS, no revenue bonds or	
general obligation bonds would be is-	
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be given by the governing body of hal charge for notic	es containing rule or tabular work (50 per cent of above
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dained By The Common Council of	
The City of Fort Wayne, Indiana:	7 70
Works, on behalf of the City of Fort for extra proofs of I	ublication (50 cents for each proof in excess of two)
Wayne, is hereby authorized and di-	56.15
oust 19, 1963, to purchase all of the	£6 O6
assets of Maplewood Park Utilities, TOTAL AMOUNT C	F CLAIM
both sanitary sewage disposal and	
water utility services in St. Joseph	
the lowest option price, estimated TING COST	
not to exceed \$1,200,000.00 and to 22110 objective all further action necessary to	
exercise said option and complete said purchase and the acquisition of	
	51
said assets. Section 2. In the alternative, and in single column in the event the Board of Public Works.	ms Size of typepoint
the event the Board of Public Works for any reason whatsoever is unable	
to exercise the option or complete	
the purchase and acquisition of the of insertions2	Size of quad upon which type is cast5.
Inc., as authorized in Section 1	
tor any reason wnarrowers to usuate the control of the option or complete the purchase and acquisition of the sasets of Maplewood Park Utilities, Inc., as authorized above, the Board of Public Works, on behalf of the City of Fort Wayne, is hereby authorized and digretary and the control of the City of Fort Wayne, is hereby authorized and digretary and the control of the City of Fort Wayne, is hereby authorized and digretary and the control of the control of the City of Fort Wayne, is hereby authorized and digretary and the control of the City of the Ci	
is hereby authorized and directed to vision and penalties	of Ch. 89, Acts 1967,
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ties inc. in use or useful in rendering water utility service in St. Joseph the foregoing acco	ment is first and a second about the second at the second
Township, Allen County, Indiana, at art of the same has	unt is just and correct, that the amount claimed is legally due, after allowing all just
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necessary to render the works effect THARGES

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For further inform Mr. Crowell of